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NINTH REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION IN THE CENTRAL AFRICAN REPUBLIC (MINURCA)

I. INTRODUCTION

1. In paragraph 8 of its resolution 1271 (1999) of 22 October 1999, the Security Council requested me to submit by 15 January 2000 a report on the implementation of the mandate of the United Nations Mission in the Central African Republic (MINURCA) and, in particular, on the progressive transfer of the functions of MINURCA in the security field to the local security and police forces, on the evolution of the situation in the Central African Republic, on the progress achieved in the implementation of the commitments set forth in the letters dated 8 December 1998 (S/1999/116, annex) and 23 January 1999 (S/1999/98, annex) from the President of the Central African Republic addressed to the Secretary-General, and on the implementation of the Bangui Agreements (S/1997/561, appendices III-VI) and the National Reconciliation Pact (S/1998/219), including the commitments relating to economic recovery, the restructuring of the security forces and the functioning of the Special Force for the Defense of the Republican Institutions (FORSDIR).

2. The present report is submitted in accordance with paragraph 8 of Security Council resolution 1271 (1999). It describes developments in the Central African Republic since early October 1999.

II. POLITICAL DEVELOPMENTS

3. Since my eighth report to the Council on 7 October 1999 (S/1999/1038), political developments in the Central African Republic have been dominated by the investiture of President Ange-Félix Patassé to a second term as the Head of State and by the formation of the new Government under the reappointed Prime Minister, Anicet Georges Dologuélé.

4. In spite of the confirmation by national and international observers that the presidential election of 19 September 1999 was transparent and credible, the opposition lodged a petition with the Constitutional Court challenging the election's results. Under article 90 of the Electoral Code, the Constitutional Court was expected to hand down a decision within 60 days after the petition was filed. However, since the Court did not do so within the stipulated period, it

now seems that the issues raised regarding the conduct of the presidential election can be regarded as closed.

5. Prime Minister Dologuélé's efforts to form a broad-based Government triggered an extensive discussion within the ruling party, Mouvement de libération du peuple centrafricain (MLPC). Some MLPC members, who had aspired for cabinet posts, threatened to vote against the Prime Minister's programme of action when it was presented to the National Assembly. However, in the end, the National Assembly voted for the Government's programme of action on 25 November 1999. The result of the vote was 59 in favour and 49 against with 1 abstention.

6. The aims of the Government's programme of action include the restructuring of the country's security forces and the creation of a multi-ethnic national security institution capable of carrying out its constitutional functions in a democratic setting. Expansion in the economic sector is also envisaged, in particular in agriculture, mining and tourism. The programme offers several proposals for urgently needed fiscal reforms, particularly in the critical area of revenue generation. The Government set a new revenue target of 70 billion CFA francs, though it is now felt that this target may have been overly optimistic.

7. An important aspect of the programme of action is the consolidation of democracy and the strengthening of democratic institutions, particularly the links between the Central Government and provincial institutions. The programme provides for a process of gradual devolution of powers and functions to the provinces with a view to making them active participants in the task of nation-building. Among other socio-economic priorities of the Government are the improvement of the management of national enterprises, the fight against poverty, the improvement of the living conditions of the people, commitment to resume the regular payment of salaries to all civil servants and military personnel, the development of transport and communications infrastructures and the promotion of national unity. While the Government has reaffirmed its commitment to the programme of action, its implementation will obviously require considerable resources, including international assistance. In this connection, the role of the international community will remain crucial.

Transition to post-conflict peace-building

8. In my letter of 3 December 1999 addressed to the President of the Security Council (S/1999/1235), I reported on the outcome of the United Nations multidisciplinary mission that visited Bangui from 15 to 19 November 1999. The Mission held talks with the Central African authorities on the conditions for the maintenance of a United Nations presence after the expiration of MINURCA's mandate on 15 February 2000.

9. The Central African authorities had expressed their wish that the Security Council extend the mandate of MINURCA until the end of December 2000 to address the outstanding internal security challenges and the looming subregional threats. However, they have acquiesced to the reality of MINURCA'S current phased withdrawal and are taking the necessary steps in the security area. The

United Nations is working closely with the Government to ensure a smooth transition from peacekeeping to the post-conflict peace-building phase.

10. As I indicated in my letter of 3 December 1999, the primary task of the United Nations Peace-Building Support Office in the Central African Republic (BONUCA) would be to support the Government's effort to consolidate peace and national reconciliation, to strengthen democratic institutions and to facilitate the mobilization of international assistance for national reconstruction and economic recovery. The mobilization of external assistance to the Central African Republic will be done in close collaboration with United Nations agencies, in particular with the United Nations Development Programme (UNDP), which will support the preparation of the proposed round table of donors. BONUCA would have a few civilian police experts, who would continue to provide advice and training for the Central African police and gendarmerie, as well as a few military advisers to provide technical assistance to the Government's efforts to restructure its armed forces. A human rights section would continue to monitor developments and promote public awareness of human rights issues.

Implementation of the Bangui Agreements and the National Reconciliation Pact

11. The Government of the Central African Republic, with support from MINURCA and United Nations programmes and agencies, continued its efforts to implement the Bangui Agreements and the National Reconciliation Pact, which form the basis for peace and stability in the country.

12. In a spirit of national unity, Prime Minister Dologuélé appointed several cabinet members from civil society and opposition parties, including from General André Kolingba's Rassemblement démocratique centrafricain (RDC), Jean-Paul Ngoupandé's Parti de l'unité nationale (PUN) and Enoch Dérant Lakoue's Parti social démocrate (PSD).

13. Although the restructuring of the armed forces is a vital part of the reforms envisaged under the Bangui Agreements, it was not until May 1999 that special legislation was enacted to set in motion the process which would include the demobilization and reintegration of former soldiers. However, the implementation of the programme has been held back, partly because of a lack of resources. The Government hopes to obtain international support in financing the programme, including through the donor meeting that I have proposed to convene in the near future. In the meantime, the Government has taken steps towards the reintegration of some ex-mutineers in the armed forces, as called for in the Bangui Agreements. It has also made partial payments in settlement of salary arrears to civil servants and military personnel, as well as of the outstanding scholarships to students.

14. However, other important elements of the Bangui Agreements, such as the modification of some procedures under the Penal Code, the regulation of access to the University of Bangui, the revision of certain articles in the Constitution and the negotiation of a social pact with the trade unions, are yet to be implemented.

15. At the same time, a number of provisions of the National Reconciliation Pact have been implemented. These include the Family Code, the establishment of

a National Population Commission, the independence of the judiciary and the privatization of public enterprises such as the Union bancaire en Afrique centrale (UBAC) and Société des eaux en centrafrique (SODECA). The Government has started the privatization process of the management of the Société d'énergie centrafricaine (ENERCA) and the full privatization (both capital and management) of Société centrafricaine de télécommunications (SOCATEL). One item under the National Reconciliation Pact, the creation of a Social and Economic Council, has not been implemented, and there is still no clear indication as to whether the Government has any plans to that effect.

Public information

16. During the reporting period, Radio MINURCA continued to play a crucial role in promoting the understanding of the Bangui Agreements and Security Council decisions among the people of the Central African Republic. Particular attention in this regard was given to the withdrawal of MINURCA and the progressive transfer of its functions to the Government structures. United Nations radio programmes have contributed significantly to public awareness on the issues of human rights. United Nations specialized agencies and programmes such as UNDP, the United Nations Children's Fund (UNICEF), the World Health Organization (WHO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), have used the radio programmes extensively to disseminate information about their activities in the country. Consultations are under way with a view to transferring the relevant equipment of Radio MINURCA to Freetown for use by the United Nations Mission in Sierra Leone (UNAMSIL).

III. HUMAN RIGHTS

17. The Government continues to declare its commitment to the promotion of human rights. It has appointed a national High Commissioner for Human Rights and is actively participating in seminars organized by MINURCA'S human rights component. However, the authorities are still unable to put an end to the use of extrajudicial methods in dealing with problems concerning breaches of law and order. The killings at Kembe and in the Kembe-Grimari area on 18 November 1999 by heavily armed men, suspected to be security elements, were grim indications that more needs to be done before respect for human rights can be firmly institutionalized in the country. In this context, MINURCA has raised its concerns with the relevant authorities regarding FORSDIR's continued involvement in law enforcement functions. Such involvement would be a violation of the constitution and the laws on the restructuring of the Central African armed forces.

18. Conditions at the national detention centres remain below minimum standards and the lack of a penitentiary in the capital has contributed to the deplorable overcrowding of the detention facilities in police stations. A chronic lack of resources in the judicial and law enforcement systems has also contributed to the poor treatment of detainees.

19. It is pertinent to mention that during the reporting period 50 gendarmes completed the United Nations human rights course organized to train national trainers. In addition, human rights programmes on Radio MINURCA, broadcast in

French and Sango, continued to put special emphasis on various human rights activities in the Central African Republic.

20. At the same time, a series of promotional activities, including essay-writing contests, a televised debate and three theatre presentations, were organized to commemorate the fifty-first anniversary of the Universal Declaration of Human Rights on 10 December 1999. A special ceremony to mark the occasion was also held under the auspices of the newly appointed national High Commissioner for Human Rights.

IV. MILITARY AND SECURITY ASPECTS

Military activity

21. The military and security situation in Bangui and the environs has remained relatively calm. A spate of violence was however reported in the Kembe region in the south-east of the country following the assassination of Lieutenant Antoine Bodo, the region's Assistant Military Commander, on 17 November 1999. Government forces succeeded in reasserting authority in the Kembe region and the rebels were dislodged. In the process, some casualties occurred, most of which were reportedly blamed on elements of FORSDIR who stormed the area. Though the security situation in Kembe has stabilized, the inquiry set up by the Government is yet to determine who was responsible for the assassination of Lieutenant Bodo.

Transfer of security functions from the Mission to the Government

22. Pursuant to Security Council resolution 1271 (1999), MINURCA has been coordinating all its actions closely with the Central African authorities in order to ensure a progressive transfer of its security functions to Government security and police forces. The first four United Nations infantry companies were repatriated from Bangui by mid-December 1999. On 29 December, elements of the Central African gendarmerie, police and armed forces began to take over the duties previously carried out by MINURCA military contingents, including the patrolling of Bangui's first, fourth, seventh and eighth arrondissements. The Central African authorities have also created a Mixed General Command comprising the police, gendarmerie and army elements to facilitate the transfer of security functions and to coordinate with MINURCA on relevant matters. The second drawdown of MINURCA will take place shortly and Government forces are expected to take over from MINURCA the security functions in the second, third, fifth and sixth arrondissements of the city before the end of January.

23. In the meantime, the four long-awaited bills on the restructuring of the armed forces have been promulgated and the Government has begun to take measures for their implementation. With regard to the statutory functions of FORSDIR, a decree has been issued indicating that the force shall be constituted drawing from various sections of the armed forces and shall be restricted to the defence of republican institutions; its command and direction shall remain within the purview of the Chief of Staff of the Central African armed forces. The decree also stipulates that authority and control hitherto exercised by the Director-General of the Force will be taken over by the Chief of Staff of the armed

forces. However, additional concrete steps need to be taken in order that FORSDIR be truly restricted to the duties ascribed to the security forces under the constitution. Such a transformation continues to be crucial as the country moves towards the strengthening of peace and national reconciliation.

Civilian police

24. The civilian police component of MINURCA has made a considerable effort to achieve the four objectives set out in the mandate: namely, the training of national personnel; reinforcement of the capacity of the police force; provision of technical advice for restructuring; and assistance in the electoral process. So far, 569 Central African police officers and 402 officers in the gendarmerie have received from the United Nations initial or supplementary training on law enforcement. The civilian police component has also contributed significantly to increasing awareness and respect for human rights.

Disarmament and disposal of weapons

25. It may be recalled that MINURCA had kept custody of two categories of weapons, those collected by the Inter-African Mission to Monitor the Implementation of the Bangui Agreements (MISAB) during the disarmament of former mutineers in the Central African armed forces in 1996 and 1997 and, more recently, those surrendered by Congolese soldiers retreating to the Central African Republic. At the request of the Central African authorities, and in view of the pressing needs for the restructuring of the security forces of the Central African Republic, MINURCA formally handed over the serviceable weapons to the Government on 5 and 8 January 2000.

26. The Government agreed that the 466 light arms and 56 heavy weapons collected from mutineers will be used exclusively for arming the new defence and security forces to be established in the framework of the restructuring efforts. All unserviceable weapons in MINURCA custody were destroyed on 11 January 2000, at a symbolic public event. The Government undertook to inform the United Nations of the progress made in the restructuring of the armed forces and the use of the weapons for this purpose. At the same time, the Government agreed that the 3,328 light arms collected from Congolese troops will be transferred to the Government of the Democratic Republic of the Congo, with the concurrence of the United Nations, when the situation in that country stabilizes.

V. ECONOMIC ASPECTS

27. In November 1999, a joint World Bank and International Monetary Fund (IMF) assessment team visited Bangui. The team was not satisfied with the overall performance of the Central African economy, particularly in the critical area of revenue generation. However, the team promised to return in February 2000, to make a reappraisal of the situation in the light of new commitments made by the Government in the area of fiscal reforms. It should be noted that during the reporting period the Government increased domestic petroleum prices to reflect higher international prices. Furthermore, it contracted the Société générale de surveillance (SGS) and mandated it to issue customs certificates specifying payments to the Treasury prior to actual payment of the customs dues. Based in

part on the progress in privatization (see para. 29 below) and on the strong commitment in the area of revenue generation, the World Bank approved a fiscal consolidation of SDR 14.4 million on 16 December 1999.

28. On 5 January 2000, the Governments of France and the Central African Republic signed a development assistance agreement in the amount of CFA francs 3.2 billion for the Bangui water canal project and the improvement of the Société d'énergie centrafricaine (ENERCA). Also at the beginning of the year, the Government of Nigeria sent five specialists to Bangui to assist in educational planning.

29. In the area of privatization, the Banque internationale pour la Centrafrique (BICA) is now fully privatized. In the case of the Union bancaire en Afrique centrale (UBAC), a Cameroon-based consortium is slated to purchase 51 per cent of the shares in the privatized venture, 39 per cent has been reserved for purchase by the citizens of the Central African Republic, while the Government is expected to get the remaining 10 per cent of shares.

30. As regards PETROCA, the State-owned petroleum company, the company is still under the control of the liquidators. The final take-over by the prospective owners, the companies Elf and Total, has been delayed owing to disagreement over the prices to be charged to consumers. The Government is wary of enacting any steep increase in the prices because of the obvious effect on other essential services, as well as the possible social consequences. Taxi and bus operators have already gone on strike in Bangui for several days to protest the Government's freeze on fares charged to commuters. It was with great difficulty that the Government was finally able to resolve the pump price issue.

VI. FINANCIAL ASPECTS

31. The General Assembly, by its resolution 53/238 of 8 June 1999, appropriated and assessed an amount of $33.4 million for the operation and administrative closing of MINURCA for the period from 1 July 1999 to 30 June 2000. In addition, I have obtained authorization from the Advisory Committee on Administrative and Budgetary Questions in the amount of $6.7 million to cover the costs associated with the supportive role that MINURCA has been authorized to play in the conduct of presidential elections in the Central African Republic. In this connection, I intend to seek from the General Assembly, during its resumed fifty-fourth session, appropriation and assessment of these additional requirements, as well as of the resources related to the extension of the Mission's mandate pursuant to Security Council resolution 1271 (1999). As at December 1999, unpaid assessed contributions to the MINURCA special account amounted to $36.9 million. Outstanding loans totalling some $17 million from the Peacekeeping Reserve Fund and a closed mission to finance MINURCA's operational requirements have yet to be repaid. For this reason, it has thus far only been possible to pay troop costs to all MINURCA troop-contributing countries only up to the end of November 1998. With regard to the trust fund for the support of activities of MINURCA, contributions as at 31 December 1999 totalled $0.87 million, with expenditures authorized in the full amount of contributions received. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1,482.1 million.

VII. OBSERVATIONS

32. As a result of the expressed wish of the Security Council and subsequent discussions with the United Nations, it appears that the Central African authorities have accepted the prospects of MINURCA's withdrawal on 15 February 2000, even though they would have wished to delay the drawdown of the Mission until December 2000.

33. In this connection, I received a letter from the President of Algeria and current Chairman of the Organization of African Unity (OAU), Abdelaziz Bouteflika, dated 27 December 1999, in which he expressed his concern over the possible consequences of MINURCA's withdrawal on the security and stability in the Central African Republic. President Bouteflika urged the United Nations to reconsider its decision to allow the newly elected Government of President Patassé time to consolidate peace and prevent a recurrence of conflict in the country. In my response to President Bouteflika, dated 12 January 2000, I noted that the Security Council had intended to terminate MINURCA's mandate by 15 November 1999, but that under resolution 1271 (1999) it had extended the Mission to 15 February 2000, bearing in mind the positive developments in the Central African Republic and the need to ensure a seamless transition to peace-building. I stressed that consolidation of the progress made in the Central African Republic with United Nations support would, to a large extent, depend on the determination of the parties, particularly the Government, to honour their commitments and on the continued support of the international community.

34. By successfully conducting two national elections and the ongoing reforms, the people and Government of the Central African Republic have already demonstrated their strong commitment to democracy and peaceful development. While a great deal has been accomplished towards these goals, much remains to be done. It is obvious that the restructuring of the security and armed forces will not be fully completed by the time of MINURCA's withdrawal. The sizeable number of Central African police and gendarmes who have been trained by MINURCA still lack the resources and equipment necessary to ensure security in the country. At the same time, the Central African Republic remains vulnerable to the volatile situation in the subregion, in particular the neighbouring Democratic Republic of the Congo. Security concerns in Bangui have decreased somewhat following the voluntary repatriation of military elements from the Democratic Republic of the Congo and the relocation of refugees to rural sites. It should be noted, however, that some 50,000 refugees from neighbouring countries remain in the Central African Republic and require international attention and support. As the Government has emphasized on many occasions, the crisis in the Central African Republic is rooted, to a considerable extent, in the poverty and economic deterioration of the country. These are areas that continue to need particular assistance of the international community.

35. As at 15 February 2000, BONUCA will take over from MINURCA to provide assistance in the peace-building effort. The Secretariat, in coordination with UNDP and the Programme on Demobilization and Reintegration of the Central African Government, have already initiated consultations with external partners in preparation for the proposed donor conference to raise funds for the restructuring and demobilization programmes. Notwithstanding the above, it

remains primarily for the Central Africans themselves to strengthen the democratic institutions in the country, to broaden the scope for reconciliation and national unity and to intensify the implementation of the programmes designed to accelerate economic recovery. Obviously, the people of the Central African Republic and their leaders deserve to be congratulated for what they have achieved so far.

36. Through their presence and active role in the Central African Republic, MINURCA, its predecessors and MISAB have provided the people and Government of the Central African Republic with much needed stability and breathing space after a period of serious upheaval that threatened to unravel any prospects of developing its economy and society. The consistent backing of the international community, as well as MINURCA's dissuasive presence and firmness in curbing threats to the country's stability, were essential for the holding of legislative and presidential elections and the launching of major political, social and economic reforms. It should also be borne in mind that these positive developments took place as the wider Central African region was engulfed in violent conflict. Important challenges still lie ahead for the Central African Republic. Accordingly, as the United Nations withdraws its peacekeepers from the country, the Government of the Central African Republic will need to do its utmost to build on the gains made during MINURCA's presence and continue to work resolutely towards genuine democracy and economic recovery.

37. Lastly, I should like to express my appreciation to my Special Representative, Oluyemi Adeniji, who left Bangui for Sierra Leone on 11 December 1999, where he has been reassigned as my Special Representative, to the Force Commander and current officer-in-charge of MINURCA, Major General Barthélémy Ratanga (Gabon), and to all the military and civilian personnel of the Mission, as well as to the United Nations agencies and programmes and to donor countries, including the Friends of the Central African Republic, for their significant contribution to the progress made in the country thus far.

Annex

United Nations Mission in the Central African Republic: contributions as at 6 January 2000

Country	Staff observers	Support unit	Troops	Total
Côte d'Ivoire	10	15	209	234
Egypt	8	184	120	312
Gabon	4[a]	-	1	5
Senegal	9	-	119	128
Chad	6	-	114	120
Total	37	199	563	799[b]

[a] Includes the officer-in-charge of the Mission.

[b] In addition to 16 civilian police observers from Benin (2), Cameroon (1), France (2), Mali (6), Senegal (3) and Tunisia (2).

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